

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ADAMS MFG. CORP., a Pennsylvania corporation,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 06-1052
v.	)	
	)	
STERLING, INC. a Missouri corporation,	)	Judge Lancaster
DOLLAR DEPOT OF PA, INC., a Pennsylvania corporation, and	)	Magistrate Judge Caiazza
PROMOTIONS UNLIMITED CORPORATION, an Illinois corporation,	)	JURY TRIAL DEMANDED
	)	
Defendants.	)	

CONSENT JUDGMENT

AND NOW, this 6<sup>t</sup> day of Oct, 2006, the Court having been advised that the Plaintiff and Defendant, Dollar Depot of Pa, Inc., have agreed to settle this action, and the Parties having submitted this Consent Judgment to the Court for its consideration, and the Court having concluded that the provisions of this Consent Judgment are appropriate to the settlement and deposition of this litigation:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. This Court has jurisdiction over the Parties and the subject matter of this lawsuit.
2. United States Patent Nos. 5,039,045 (the "'045 patent") and D345,903 (the "'903 patent") are valid, enforceable and owned by Plaintiff, Adams Mfg. Corp.

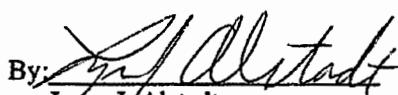
3. The manufacture, sale, offer for sale and importation into the United States of suction cups having a shape as shown in Exhibit G of the Complaint filed in this case infringe one or more claims of the '045 and '903 patents. Defendant, Dollar Depot of Pa, Inc., its officers and employees, are hereby enjoined from making, using, selling or importing these suction cups, and all other suction cups within the claims of the '045 and/or '903 patents, except under license from Plaintiff, Adams Mfg. Corp.
4. United States Trademark Registration No. 1,675,130 for an A-Shaped Tab is a valid trademark owned by Adams Mfg. Corp.
5. Defendant, Dollar Depot of Pa, Inc., its officers and employees, are hereby enjoined from making, using, selling or importing suction cups having a tab extending from the outer circumference of the cup portion which are confusingly similar to the A-Shaped Tab trademark of United States Trademark Registration No. 1,675,130, including the suction cups illustrated in Exhibit G of the Complaint filed in this case.
6. Defendant, Dollar Depot of Pa, Inc., its officers and employees, are hereby enjoined from using the A-Shaped Tab trademark and any colorable imitations thereof in connection with suction cups.
7. All claims against Defendant, Dollar Depot of Pa, Inc., are dismissed with prejudice.
8. Each Party shall bear its own costs and attorney fees.
9. This Judgment is and shall be binding upon the Parties hereto, and upon their successors and assigns.

10. This Court retains jurisdiction to enforce this Consent Judgment and the settlement agreement made by the parties.

  
\_\_\_\_\_  
United States District Judge

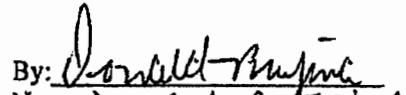
APPROVED AND CONSENTED TO:

ADAMS MFG. CORP.

By:   
\_\_\_\_\_  
Lynn J. Alstadt  
PA I.D. No. 23487  
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Attorneys for Plaintiff

DOLLAR DEPOT OF PA, INC.

By:   
\_\_\_\_\_  
Name: DONALD BEREZINA  
Title: PRESIDENT